



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Labor and Industries

- ☒ Permanent Rule
☐ Emergency Rule
☐ Expedited Rule Making

(1) Date of adoption: May 28, 2004

(2) Purpose: Chapter 296-400A WAC, Certification of competency for journeyman plumbers

See attachment (a)

(3) Citation of existing rules affected by this order:

Repealed: None.
Amended: WAC 296-400A-005, 296-400A-020, 296-400A-021, 296-400A-026, 296-400A-030, 296-400A-031, 296-400A-035, 296-400A-045, 296-400A-120, 296-400A-121, 296-400A-122, 296-400A-130, 296-400A-140, 296-400A-300, 296-400A-400, 296-400A-425
Suspended: None.

(4) Statutory authority for adoption: RCW 18.106.040, 18.106.140, Chapter 82, Laws of 2002 (Engrossed Substitute House Bill 2470), and Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713)
Other Authority: None.

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-08-089 on April 6, 2004.

Describe any changes other than editing from proposed to adopted version: None.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

☐ Yes ☒ No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- ☐ 31 days after filing
☒ Other (specify) 6/30/04

Emergency Rules

- ☐ Immediately
☐ Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

WSR#04-12-046

Signature

Title
Director

Date

May 28, 2004

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	8	Amended	<u>15</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	8	Amended	<u>15</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	8	Amended	<u>15</u>	Repealed	_____

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- (a) Purpose, summary, reasons supporting proposal, short explanation of rule, its purpose, and anticipated effect, and changes the proposal makes to existing rules.

The purpose of this rulemaking is to adopt substantive changes to the Plumber Certification Rules (Chapter 296-400A WAC) in response to the passage of Chapter 82, Laws of 2002 (Engrossed Substitute House Bill 2470), and Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713) from the 2002 and 2003 legislative sessions. Also, this rule adoption will increase the fees associated with plumber certification by the fiscal growth factor for fiscal year 2004 of 3.2% rounded down to the nearest tenth of a dollar. This is the maximum allowable amount established by the Office of Financial Management. These fee increases are necessary to maintain the financial health and operational effectiveness of the Plumber Program.

These changes are necessary to:

- Establish necessary provisions associated with the department's new audit authority;
- Establish necessary provisions associated with the new continuing education requirements;
- Increase fees by the fiscal growth factor established by the Office of Financial Management of 3.2 % rounded down to the nearest tenth of a dollar; and
- Make necessary housekeeping changes.